

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
IWCC CHICAGO OFFICE, ORAL ARGUMENT ROOM
HELD ON MAY 7, 2009
OPEN SESSION**

Present at the meeting were:

Amy J. Masters, Acting Chairman
Commissioner Yolaine Dauphin
Commissioner James DeMunno
Commissioner David Gore
Commissioner Kevin Lamborn
Commissioner Molly Mason
Commissioner Paul Rink
Commissioner Barbara Sherman

IWCC staff present at the meeting were:

Ms. Kathryn Kelley, General Counsel

Participants via conference call at the meeting were:

Commissioner Mario Basurto
Commissioner Nancy Lindsay

Chairman Masters called the meeting to order at 2:05 p.m. A previously prepared agenda is attached.

Upon motion duly made, seconded and unanimously carried, the minutes of the Commission meeting held on September 26, 2008 were unanimously approved.

Chairman Masters provided a Commission update including a recent work-stop order issued by the Commission, proposed FY09 budget status, recent rules and guidelines implementation for new medical fee schedules, and staffing updates.

Chairman Masters presented a draft rule regarding provider access in relation to the medical fee schedule. The commissioners discussed the rule and noted several concerns, including decision timeline and comprehension of medical fee schedule issues.

Chairman Masters discussed comprehensive rules review to occur in the near future. She explained anticipated process of obtaining rules suggestions from bar associations and putting together rules committee to discuss and provide feedback on proposed rules revisions.

Chairman Masters also discussed the need to conduct annual arbitrator evaluations. She indicated they could be completed on a quarterly basis, and per the statute, she would like to obtain input from the Commission during Commission meetings.

Next Chairman Masters provided an update on the Rate Adjustment Fund, specifically improvements made in the oversight of the fund including hiring of project manager, development and implementation of new procedures, development of request for proposal (RFP) for database system to track cases, improved affidavit distribution and review process, and overall improved tracking.

Chairman Masters also noted that while the number of Commission decisions has significantly increased, timeframes to issue decisions are still too long. For instance, 19b decisions are taking longer than 180 days to issue. She noted that while some extended vacancies in staff attorney positions contributed to the problem, staff attorney positions are all currently filled with one exception, which should be filled in near future. The Commission discussed timelines to issue decisions.

Upon motion duly made, seconded and unanimously carried, the Commission went into closed session to discuss personnel issues. The Commission reconvened in open session at 3:05 p.m. There being no further business, the meeting adjourned.